

REMARKS:

Applicant's claims 21-32 are method claims which set forth steps which are believed to be novel. Prior art cited in the parent case includes the patent of Burns et al (6,370,812) and other patents.


The method claims employ a unique monitor in that the monitor is formed from a thin polymeric base and opaque flap which are integrally formed. The opaque flap can be lifted by the PMP and the termite activity or lack thereof can be seen through the transparent wafer case which is positioned on the base. Thus, the flap covers the top of the wafer case and provides protection from the sun and adverse elements. Certain of the prior art devices have opaque outer surfaces but do not have an inner transparent wafer case. Thus the opaqueness of the flap prevents harmful effects from the sun while the transparent wafer case allows the activity of the cellulose wafer to be easily seen once the flap is lifted. Applicant has further limited the method steps as claimed by the placement of the monitor within the termiticide treatment zone. Certain prior art devices are placed at great distances from the buildings, unlike applicant's device which is placed within a narrow treatment zone at the foundation of the building.

It should also be noted that applicant's base includes openings to allow termites to move through the base, then

through an opening in the wafer case to reach the wafer. The prior art devices generally do not have a base on which the wafer case is placed.

Applicant believes that his method claims using the unique monitor as now presented are unique and unobvious over the prior art patents cited and accordingly claim allowance is solicited at the Examiner's earliest convenience.

Respectfully submitted,

By:   
Walter L. Beavers  
Attorney For Applicant  
Registration No. 26,704  
326 South Eugene Street  
Greensboro, North Carolina 27401  
Telephone: (336) 275-7601  
Facsimile: (336) 275-2009  
E-mail: wbeavers@bellsouth.net

I do hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail No. ET495289042US in an envelope addressed to the Director of the United States Patent and Trademark Office, Mail Stop Patent Application, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this the 17<sup>th</sup> day of February, 2004.

  
Walter L. Beavers